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09/852,836

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Mimi Chu Dong

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11/17/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

LETT, THOMAS J

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,836

Applicant(s)

DONG ET AL.

Examiner

Thomas J. Lett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2,3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Yan et al (US Patent 6,003,065).

With respect to claim 1, Yan et al disclose a method, using JAVA language, of robust communication capability including establishes a bidirectional communication between the selected peripheral device and the host computer for transmitting and receiving real-time information generated while the peripheral device is operating (col. 19, line 67 - col. 20, line 3), which reads on transceiving a device identification to the electrical device in a universal image capture language; and

a system coupled to transfer image data to one or more peripheral devices such as a printer 102B, an image capture device such as a camera 102C, a telecommunication device such as a telephone 102D, an image display device such as an HDTV television 102E, an image input device such as a scanner 102F (col. , lines), which reads on transmitting image data to the electrical device.

With respect to claim 2, Yan et al disclose an example of a peripheral downloading a response application back to the requesting host machine requesting the

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user or application to select a different set of criteria for printing the job (col. 19, lines 18-21), which reads on receiving an acknowledgement communication from the electrical device in the universal image capture language.

With respect to claim 3, Yan et al disclose that if for some reason the peripheral device has not completed execution, these instructions can be delegated for execution on another host machine or other peripheral device (col. 19, lines 61-64), which reads on the device identification comprises at least one escape sequence.

With respect to claim 4, Yan et al disclose that the system queries a peripheral database containing information about system peripherals (col. 21, lines 65-67). Examiner also notes that it is inherent that such a system would receive a hardware/device ID, which is a vendor-defined identification string that a setup process would use to match a device to an information file, which reads on the device identification is transmitted from an image capture device.

With respect to claim 5, Yan et al disclose an example of a camera comprising a virtual machine instruction processor 108 (FIG. 1), which reads on the electrical device comprises a computing device.

With respect to claim 6, Yan et al disclose 102C (FIG. 1) which is a camera, which reads on the electrical device comprises a peripheral device.

With respect to claim 7, Yan et al disclose that the system queries a peripheral database containing information about system peripherals (col. 21, lines 65-67). Examiner also notes that it is inherent that such a system would receive a hardware/device ID, which is a vendor-defined identification string that a setup process

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would use to match a device to an information file, which reads on receiving a device identification from the image capture device communicated in a universal image capture language;

Examiner notes that it is inherent for the host computer 102A to interpret a vendor-defined hardware/device ID, which reads on interpreting the device identification; and

send the results back to a host processor for review by a user rather than actually printing the image (col. 15, lines 22-23), which reads on receiving the image data from the image capture device.

With respect to claim 8, Yan et al disclose an example of a host machine or user responding to a printer by selecting the high-resolution black and white printer to print the job instead. (col. 19, lines 18-21), which reads on of transmitting an acknowledgement communication to the image capture device in the universal image capture language.

With respect to claim 9, Yan et al disclose that if for some reason the peripheral device has not completed execution, these instructions can be delegated for execution on another host machine or other peripheral device (col. 19, lines 61-64), which reads on the device identification comprises at least one escape sequence.

With respect to claim 10, Yan et al disclose drivers used to convert data formats and drive hardware signals on a peripheral device are replaced with general purpose virtual machine instruction applications written in languages such as JAVA. Typically, these general purpose virtual machine instruction applications are self-contained and

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therefore can be executed on almost any peripheral device or host device on the network for processing (col. 22, lines 20-26), which reads on the device identification is received by a universal image capture driver.

With respect to claim 11, Yan et al disclose the virtual machine instruction applications are contained in processor 106X (Fig. 1), which reads on the universal image capture driver comprises part of a computing device.

With respect to claim 12, Yan et al disclose the virtual machine instruction applications are contained in peripheral devices 102X (Fig. 1), which reads on the universal image capture driver comprises part of a peripheral device.

With respect to claim 13, Yan et al disclose a host computer (Fig. 1), which reads on a processing device adapted to control operation of the image capture device;

primary storage 216 and secondary storage 218 can include any type of computer storage (Fig. 2), which reads on an image capture module;

primary network interface 212 and secondary network interface 211 (Fig. 2), which reads on a communication module that communicates in a universal image capture language;

primary storage 216, secondary storage 218, primary network interface 212 and secondary network interface 211 (Fig. 2), which reads on image capture hardware adapted to retrieve and store image data; and

primary network interface 212 and secondary network interface 211 (Fig. 2), which reads on a device interface adapted to facilitate communication with other devices.

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With respect to claim 14, Yan et al disclose the user can even request a peripheral device such as a digital camera (col 12, lines 19-20), which reads on the device comprises a digital camera.

With respect to claim 15, Yan et al disclose an image input device such as a scanner 102F may be used, (col 6, lines 59-60), which reads on the device comprises a scanner.

With respect to claim 16, Yan et al disclose a host computer containing processors interacting with peripheral image devices (Fig. 1), which reads on a processing device adapted to control operation of the image capture device;

primary network interface 212 and secondary network interface 211 (Fig. 2), which reads on a communication module that communicates in a universal image capture language;

primary storage 216 containing APIs and executables to control peripherals (Fig. 2), which reads on a control module; and

primary network interface 212 and secondary network interface 211 (Fig. 2), which reads on a device interface adapted to facilitate communication with other devices.

With respect to claim 17, Yan et al disclose the user can even request a peripheral device such as a digital camera (col 12, lines 19-20), which reads on a universal image capture driver that is adapted to communicate with a variety of different image capture devices.

With respect to claim 18, Yan et al disclose that drivers used to convert data formats and drive hardware signals on a peripheral device are replaced with general purpose virtual machine instruction applications written in languages such as JAVA. Typically, these general purpose virtual machine instruction applications are self-contained and therefore can be executed on almost any peripheral device or host device on the network for processing (col. 22, lines 20-26), which reads on the universal image capture driver is adapted to communicate with a digital camera and a scanner.

With respect to claim 19, Yan et al disclose primary storage 216 containing APIs and executable computer program to control peripherals (Fig. 2), which reads on the memory includes a control module comprising at least one software application with which image data can be manipulated.

With respect to claim 20, Yan et al disclose a virtual machine instruction processor 108 contained in a host computer 102A (FIG. 1), which reads on the device comprises a computing device.

With respect to claim 21, Yan et al disclose primary storage 216 containing APIs and executable computer program to control peripherals (Fig. 2), which reads on device operation hardware adapted to perform a particular physical operation and wherein the memory comprises an operation module that is adapted to control operation of the operation hardware.

With respect to claim 22, Yan et al disclose the virtual machine instruction applications are contained in peripheral devices 102X (Fig. 1), which reads on the device comprises a peripheral device.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 703-305-8733. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or Faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA

Sixth Floor (Receptionist).

KAWilliams

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER

TJL

[Signature]